

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6595 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.N.MATHUR

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

-----  
KRUSHNAN RAMESHCHANDRA

HARISHBHAI

Versus

PRINCIPAL

-----  
Appearance:

MR GAURANG H BHATT for Petitioner

MR RJ OZA for Respondent No. 1

SERVED BY DS for Respondent No. 2

SERVED BY RPAD for Respondent No. 4

-----  
CORAM : MR.JUSTICE N.N.MATHUR

Date of decision: 26/09/97

ORAL JUDGEMENT

Rule. Mr T H Sompura, the learned AGP waives service of Rule.

Mr Sompura, learned AGP submits that the name of the petitioner was not sent for the reason that as per

rule, a person can avail only two and half opportunities i.e. two before Government institutions and one before private institutions. The petitioner was given the said opportunities. It is stated by the learned Advocate that the petitioner was sent for interview only once. He also submits that he appeared for the interview and was selected, but he was not given appointment. The department of Employment Exchange Bureau should understand that they are not the appointing authority. Thus they should interpret the rule in a rational way so as to give more opportunities to unemployed for job. If a person is given opportunity and he has availed the same, but appointment has not been given, how can that person be held responsible and how he can be deprived of the opportunity of being interviewed? Prima facie, the view taken by the Employment Exchange Officer is wholly unreasonable.

3. In view of this, respondent No.3 is directed to send the name of the petitioner to respondent No.1 for the subject selection.

Rule made absolute to the aforesaid extent.

26.9.97 [N N Mathur, J]

mshp.